IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

WP(C).No. 14932 of 2007(C)

PETITIONER:

M.H.SHARAFUDEEN,
S/O.MOHAMMED HANEEFA,
AGED 48, PALLY STREET,
T.C.46/146, POONTHURA PO,
THIRUVANANTHAPURAM-26.

BY ADV. SRI.M.R.SARIN PANICKER
SRI.M.R.SASITH PANICKER

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
COLLECTORATE, THIRUVANANTHAPURAM.

2. THE SECRETARY,
TRIVANDRUM CORPORATION,
THIRUVANANTHAPURAM.

3. EXPLOSIVE INSPECTOR,
EXPLOSIVE DEPARTMENT,
COLLECTORATE, TRIVANDRUM.

4. FATHIMA BEEVI,
MANICKOMVILAKATH, PALLOTHERUVU,
POONTHURA PO,
TRIVANDRUM.

BY GOVERNMENT PLEADER SRI. M.R. SABU – FOR R1 TO R3.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.14932 OF 2007.

EXT.P1: TRUE COPY OF REPRESENTATION FILED BY PETITIONER TO 1ST RESPNDENT.

EXT.P2: TRUE COPY OF REPRESENTATION FILED BY PETITIONER TO 2ND RESPONDENT DATED 3.5.2007.

EXT.P3: TRUE COPY OF REPRESENTATION FILED BY PETITIONER TO 3RD RESPONDENT DATED 3.5.2007.

TRUE COPY

PA TO JUDGE.

T.R. Ramachandran Nair, J.

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W.P.(C).NO.14392 of 2007-L

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Dated this the 2nd day of May, 2007

JUDGMENT

This writ petition is filed with the following main relief:

"Issue a writ of mandamus or any other appropriate writs, order or direction to the R.T.A. to take a final decision on Regular Permit application for the grant of permit on the route Kottayam-Adivaram by offering Stage Carriage Service KL-5/5532 or other and finally decide whether granting or rejection of the same in the forthcoming meeting of RTA or in case of delay for more than 15 days by circulating among the members of RTA under Rule 130 of the Kerala Motor Vehicles Rules."

The petitioner applied for grant of regular stage carriage permit to operate on the route Kottayam – Adivaram by offering Stage Carriage Service KL-5/P 5532 or other. When that application was rejected, he preferred an appeal before the State Transport Appellate Tribunal which was dismissed as per Ext.P2. Against the same, he filed Writ Petition No.30507/2004 and by Ext.P3 judgment this court directed the petitioner to move the Regional Transport Authority for appropriate relief. It is submitted by the petitioner that the matter is still pending before the R.T.A. without any action. According to the petitioner, even though a meeting was convened, the same

has been adjourned indefinitely. According to the petitioner, Rule 130 could be invoked.

2. It is upto the respondents to take appropriate decision in the matter in accordance with law as expeditiously as possible, after hearing the necessary parties. The same may be done within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of accordingly.

(T.R. Ramachandran Nair, Judge.)

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